

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

vs.

STEPHEN BROCKBANK, CAROL  
LOVE, et al.,

Defendants.

MEMORANDUM DECISION AND  
ORDER GRANTING CFTC'S  
MOTION TO STRIKE  
BROCKBANK'S MEMORANDUM  
IN SUPPORT OF LOVE'S MOTION

Case No. 2:00-CV-622 TS


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This matter is before the Court on the CFTC's Motion to Strike Brockbank's Memorandum in Support of Love's Motion for Decision Notwithstanding Verdict. The CFTC objects to Defendant Brockbank, acting pro se, filing a memorandum in support of another Defendant's Motion. The CFTC objects to Brockbank's lack of standing and untimely filing. There is no response to the CFTC's Motion to Strike. The Court finds that Defendant Brockbank lacks standing to file a memorandum in support of another Defendant's Motion, that it was not timely filed, and that it is an impermissible attempt to supplement the trial record after the jury verdict. It is therefore

ORDERED that the CFTC's Motion to Strike Brockbank's Memorandum in Support of Love's Motion for Decision Notwithstanding Verdict (Docket No. 499) is GRANTED and Defendant Brockbank's Memorandum<sup>1</sup> will not be considered by the Court.

DATED March 28, 2006.

BY THE COURT:

  
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TED STEWART  
United States District Judge

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<sup>1</sup>Docket No. 492.